

Procedures for Requesting Unclaimed Funds

According to 28 U.S.C. Section 2042: Any claimant entitled to funds in the Registry of Unclaimed Funds may, on petition to the court and upon notice to the United States Attorney, and providing full proof of the right thereto, obtain an order directing payment of the unclaimed funds.

Upon receipt of the package containing the Application For Payment From Unclaimed Funds and supporting documents, the financial department will review the affidavit and supporting documentation for accuracy and validity, verify that the funds remain on deposit with the Court, and forward the Application and supporting documentation to the Bankruptcy Judge for final disposition. The request for funds may be granted by Order of the Judge without a hearing. If a hearing is scheduled, the Court will send a notice of the date and time for the hearing to all interested parties.

Any request for unclaimed funds which appears to be based upon fraud will be referred to the U.S. Attorney for investigation and prosecution.

The following information and items should be submitted when filing an Application For Payment From Unclaimed Funds:

MOTION FILED BY AN INDIVIDUAL

- ▶ The Identification Form For Unclaimed Funds - Individual which includes a photocopy of a Government issued Photo-Identification Card, your telephone number and correct mailing address and the last 4 digits of your social security number.
- ▶ Application For Payment From Unclaimed Funds containing the case number, the name of the debtor, the payee information, and the monetary amount to be disbursed by the Court.
- ▶ Certificate of Service specifying that a copy of the Application For Payment of Unclaimed Funds has been served on the U.S. Attorney for the Southern District of Indiana, 10 West Market Street, Suite 2100, Indianapolis, IN 46204-3048.
- ▶ Supporting documentation if your name has changed (eg. Divorce, Marriage).
- ▶ If ownership of the claim is joint (eg. Husband and wife), both parties must sign the Application For Payment From Unclaimed Funds along with each one submitting a Identification Form.

- ▶ If the Claim owner is deceased, certified copies of all probated documents, to include a certified copy of the death certificate and the Letter of Administration which substantiate your right to act on behalf of the decedent's estate **must** be submitted.

Payment will be made payable in the owners' name only.

MOTION FILED BY A FUNDS LOCATOR

- ▶ An Original Notarized Power of Attorney with an original signature expressly authorizing the representative to represent the claimant's interests and to collect the funds on their behalf.
- ▶ If filing for an individual, the Identification Form For Unclaimed Funds - Individual which includes a photocopy of a Government issued Photo-Identification Card, their telephone number and correct mailing address and the last 4 digits of their social security number.
- ▶ Supporting documentation if their name has changed (eg. Divorce, Marriage).
- ▶ Application For Payment From Unclaimed Funds containing the case number, the name of the debtor, the payee information and the monetary amount to be disbursed by the court.
- ▶ Certificate of Service specifying that a copy of the Application For Payment From Unclaimed Funds has been served on the U.S. Attorney for the Southern District of Indiana, 10 West Market Street, Suite 2100, Indianapolis, IN 46204-3048.
- ▶ If ownership of the claim is joint (eg. Husband and wife), both parties must sign the Application For Payment From Unclaimed Funds along with each one submitting a Identification Form.
- ▶ Corporate Creditors **must** submit the Identification Form For Unclaimed Funds - Corporate/Business which includes the Seal affixed as proof the person signing represents the Corporation of which the funds are due. If the Corporation has been amended, merged or dissolved, documentation **must** be submitted to show proof of original ownership through current ownership.
- ▶ If the Claim owner is deceased, certified copies of all probated documents, to include a certified copy of the death certificate and the Letter of Administration which substantiate your right to act on behalf of the decedent's estate **must** be submitted.

Payment will be made payable in the owners' name only. If the Corporation or Business has changed from original ownership, payment will be made in the original

ownership n/k/a new ownership.

MOTION FILED BY A CORPORATION OR BUSINESS ENTITY

- ▶ The Identification Form For Unclaimed Funds - Corporate/Business which includes the Seal affixed as proof the person signing represents the Corporation of which the funds are due. If the Corporation has been amended, merged or dissolved, documentation **must** be submitted to show proof of original ownership through current ownership.
- ▶ Application For Payment From Unclaimed Funds containing the case number, the name of the debtor, the payee information, and the monetary amount to be disbursed by the Court.
- ▶ Certificate of Service specifying that a copy of the Application For Payment From Unclaimed Funds has been served on the U.S. Attorney for the Southern District of Indiana, 10 West Market Street, Suite 2100, Indianapolis, IN 46204-3048.
- ▶ Notarized Affidavit of Creditor for Reimbursement of Unclaimed Funds.

Payments will be made in the name of the Corporation or Business. If the Corporation or Business has changed from original ownership, payment will be made in the original ownership n/k/a new ownership.

If you have any further questions please contact the Financial Department at 317-229-3942, 317-229-3853 or 317-229-3844.

Mailing Address for forms:

**U. S. Bankruptcy Court
116 U. S. Courthouse
46 East Ohio Street
P.O. Box 44978
Indianapolis, IN 46244**